THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1F12 1636.

Applicant:

Kawaoka

Title:

VIRUSES COMPRISING MUTANT ION CHANNEL PROTEIN

Docket No.: Filed:

800.026US1

Examiner:

April 12, 2001

Terry Alan McKelvey

Serial No.: 09/834,095

Due Date: July 20, 2004 Group Art Unit: 1636

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

X A return postcard.

X - An Amendment and Response (11 Pages).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

Atty: Janet E. Embretso

<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this <u>18TH</u> day of June, 2004.

PATRICIA A. HULTMAN

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

<u>S/N 09/834095</u> <u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshihiro Kawaoka

Examiner: Terry Alan McKelvey

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AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

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This responds to the Office Action mailed on April 20, 2004. Please amend the above-identified patent application as follows.